REMARKS/ARGUMENTS

These remarks are made in response to the Office Action of October 19, 2007 (Office Action). As this response is timely filed within the 3-month shortened statutory period, no fee is believed due. However, the Examiner is expressly authorized to charge any deficiencies to Deposit Account No. 50-0951.

Claims Rejections – 35 USC § 101

Claims 16-18 and 34-35 were rejected because it was asserted in the Office Action that the claimed invention, appearing to be comprised of software alone without claiming associated computer hardware required for execution, is not supported by either a specific and substantially asserted utility (e.g., transformation of data) or a well established utility (e.g., a practical application).

As already discussed in the response to the previous Office Action, determining operational metrics is very important in troubleshooting, grid planning, and software deployment (see, e.g., paragraph [0006] of the specification), and is thus very much a practical application. The operational metrics determined can be used for resource management to solve performance and load problems (see, e.g., paragraph [0006] of the specification), and as such are very tangible, "real-world" results. Claims 16-18 and 34-35 recite a ghost agent and system for gathering and determining operational metrics, respectively, which can be implemented as a hardware or combination of hardware and software.

It is respectfully noted that the Examiner has not commented upon Applicants' previously-presented arguments pertaining to these issues.

In view of the forgoing, Applicants respectfully request that the rejections under 35 U.S.C. § 101 be withdrawn.

Claims Rejections – 35 USC § 103

Claims 1-35 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent 6,122,664 to Boukobza, *et al.* (hereinafter Boukobza) in view of U.S. Patent 6,681,243 to Putzolu (hereinafter Putzolu).

Applicants respectfully disagree with the rejections and thus have not amended the claims.

It is asserted in paragraph 31 on page 9 of the Office Action that the agents of Putzolu are the software objects in Applicant's invention (col. 3, lines 59-61) and that Putzolu is not relied upon to teach that Putzolu's agents associate themselves with software objects because Putzolu's agents are the software objects. It is further asserted in paragraph 32 on page 9 of the Office Action that Boukobza teaches specific modules being created for monitoring certain type of objects and that since Putzulo teaches that software are movable, it would have been obvious to one of ordinary skill in the art to include specific modules as taught by Boukobza for monitoring the agents in Putzulo.

As already discussed in the response to the previous Office Action, and as acknowledged by the Examiner, Boukobza does not disclose moving an associated ghost software object from a first grid to a second grid in response to movement of the host software object from the first grid to the second grid. Even were it assumed that Putzulo teaches that agents are movable software objects, this does not in fact make it obvious to move an associated ghost software object from a first grid to a second grid in response to moving of a host software object from the first grid to the second grid. The one-to-one association between a host software object and its associated ghost software object is not disclosed by any of the cited references or any combination thereof.

The fact that Boukobza teaches specific modules being created for monitoring certain types of objects (col. 2, lines 30-38) does not imply that the specific modules will automatically follow or travel together with these certain types of objects. To the contrary, the reason that each agent in Boukobza comprises a plurality of specific modules specific to different object types is *precisely because each agent is installed in a specific node and the plurality of specific modules can monitor different types of objects when they arrive at the node*. For example, when a first type of object arrives at the node, the agent can use one of the modules that is specific to the first type of object to monitor the first type of object, and when the first type of object leaves the node and a second type of object arrives at the node, the agent can use another one of the modules that is specific to the second type of object to monitor the second type of object.

Clearly, neither Boukobza nor Putzolu, individually or in combination, discloses or suggests moving an associated ghost software object from a first grid to a second grid in response to moving the host software object from the first grid to the second grid, as recited in the independent claims. The independent claims are, therefore, believed to be patentable over the prior art and, accordingly, the dependent are likewise believed to be patentable as well since each depends from one of the independent claims while reciting additional features.

In view of the above, Applicants respectfully request that the claims rejections under 35 U.S.C. § 103 be withdrawn.

CONCLUSION

Applicants believe that this application is now in full condition for allowance, which action is respectfully requested. Applicants request that the Examiner call the undersigned if clarification is needed on any matter within this Amendment, or if the

Examiner believes a telephone interview would expedite the prosecution of the subject application to completion.

Respectfully submitted,

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